## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

LORI	SILVERMAN and LSIL, Co.,	)	
	Plaintiffs and Counter-defendants,	)	
	v.	)	Case No.: 1:15-CV-02260-PAC
ATTII et al	LIO GIUSTI LEOMBRUNI S.P.A.,	)	
	Defendants and Counterclaimants.	)	
		)	
		)	

## NOTICE OF MOTION AND MOTION TO DISMISS PLAINTIFFS' DESIGN PATENT INFRINGEMENT CLAIM AND INCORPORATED MEMORANDUM OF LAW

PLEASE TAKE NOTICE that, upon the annexed Declaration of Jeffrey Yee and the exhibits annexed thereto, and upon the moving Memorandum of Law in Support of Defendant Attilio Giusti Leombruni S.P.A.'s ('AGL") Motion to Dismiss, AGL, by and through its undersigned counsel, will move this Court before the Honorable Paul A. Crotty, the United States District Court Judge for the Southern District of New York, at Courtroom 14-C, 500 Pearl Street, New York, New York 10007, for an order, pursuant to Federal Rules of Civil Procedure Rule 12(b)(6), dismissing with prejudice Plaintiffs' patent infringement claim as set forth in Plaintiffs' Amended Complaint filed on November 16, 2015 (Dkt. 27), and granting such other and further relief as the Court deems just and proper.

Dated: December 23, 2015

Respectfully submitted,

By: /s/ Jeffrey K. Joyner

GREENBERG TRAURIG, LLP

## Case 1:15-cv-02260-PAC Document 34 Filed 12/23/15 Page 2 of 3

Ronald D. Lefton (leftonr@gtlaw.com) 200 Park Avenue New York, New York 10016 Tel: (212) 801-9200

Jeffrey K. Joyner (joynerj@gtlaw.com)
Jeffrey F. Yee (yeej@gtlaw.com)
1840 Century Park East, Suite 1900
Los Angeles, California 90067
Attorneys for Defendant-Counterclaimant
Attilio Giusti Leombruni S.P.A.

Case 1:15-cv-02260-PAC Document 34 Filed 12/23/15 Page 3 of 3

**CERTIFICATE OF SERVICE** 

I hereby certify that on this 23th day of December, 2015, I electronically filed the

foregoing with the Clerk of the Court using the CM/ECF system, which will send a notice of

electronic filing to CM/ECF participants in this case.

/s/ Jeffrey K. Joyner

Jeffrey K. Joyner

1